

Death Penalty.

An. Code, 1924, sec. 410. 1922, ch. 465, sec. 6. 1933 (Special Sess.), ch. 100.

410. Immediately upon sentence of death being pronounced upon any convict by any Court of this State, the convict shall be taken into custody by the Sheriff of the county or city wherein he was indicted, and held by him under such guard or guards as the Sheriff shall determine to be necessary, and as soon thereafter as possible, said convict shall be, by the said Sheriff delivered to the Warden of the Maryland Penitentiary, where he shall be placed in solitary confinement under such guard or guards as might be necessary, to await the execution of his sentence by the said Warden as aforesaid. No expense incident to the detention of the said convict in the Maryland Penitentiary, including the expense of guarding, lodging, feeding, clothing and caring for such convict, shall be assessed against, billed to or paid by the County Commissioners of the County where said convict was indicted, or the Mayor and City Council of Baltimore, if indicted in Baltimore City.

No expense incident to the guarding, lodging, feeding, clothing and caring for any person sentenced to any State institution shall be assessed against, billed to or paid by the County Commissioners of the County where such person was indicted, or the Mayor and City Council of Baltimore, if indicted in Baltimore City, irrespectively of whether or not the judgment, upon which such sentence is imposed, is thereafter reversed.

County Commisssioners liable for per diem of guards as fixed by sec. 681A even if execution does not take place due to commutation of sentence. *State v. Anne Arundel Co.*, 166 Md. 223 (decided prior to act of 1933 [Special Sess.], ch. 100).

Perjury.

1927, ch. 491.

451A. Any person employed by the State Board of Agriculture, the University of Maryland, or any department or branch thereof, to inspect and/or test cows and/or the quantity and quality of milk, who shall wilfully make any false oath or affirmation with respect to the production record of any cow, shall be deemed guilty of perjury. If any such person shall make oath or affirmation to two statements, one contradicting the other, with respect to the production record of any cow, and shall make oath or affirmation wilfully and falsely, it shall be sufficient, in order to convict, to allege and prove that one of the said contradictory statements is or must be false and wilful, without specifying which one.

Poison—Attempting to.

456-457. Repealed by ch. 62 of Acts of 1935.

Failure of druggist to label box of strychnine tablets as required does not give right of action on account of injury caused by taking same unless absence of labels was proximate cause of injury. *Drug Stores, Inc., v. Somerville*, 161 Md. 662.